EXHIBIT A

#4 1460 #2660

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE INDICATED BELOW.

BY: Claire T. Benson DATE: 10-17-02

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Patent Application of Jeremy C. Herr	: Group Art Unit: 2622	
Appln. No.:	10/103,510	: Examiner:	
Filed:	March 21, 2002	:	
For:	PREPARATION OF PRODUCTION DATA FOR A PRINT JOB USING A STILL IMAGE FORMAT PROXY OF A PAGE DESCRIPTION LANGUAGE IMAGE FILE	: Attorney Docket No. 10379-3US	

PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER MPEP § 708.02, VIII

Assistant Commissioner for Patents
Washington, DC 20231

ATTENTION: Group Director, Group 2600

1. Petition

Applicant hereby petitions to make special the above-identified new application, which has not received any examination by the Examiner.

2. Claims

All currently pending claims in the application (i.e., claims 1-57) are directed to a single invention. If the Office determines that all of the claims presented are not obviously directed to a single invention, then Applicant will make an election without traverse as a prerequisite to the grant of special status.

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3. Search

A search has been made by a professional searcher in the following field of search:

Class 345, subclasses 619, 660, 661, 667, 672, 689, 700, 731, 747, 748, 760, 788, 798, 799, 800
Class 705, subclass 14
Class 707, subclasses 101, 102, 104.1, 500, 501.1, 505, 506, 507, 511, 513, 514, 515, 517, 520, 522, 525, 539, 540, 908, 910
Class 709, subclasses 200, 203, 217, 219

4. Copy of references

Copies of the references deemed most closely related to the subject matter encompassed by the claims at the time the application was filed were submitted with an Information Disclosure Statement (IDS) filed on March 21, 2002. The references are listed on a Form PTO-1449 filed concurrently with the IDS. The references are discussed below.

5. Detailed Discussion of the references

There is submitted herewith a detailed discussion of the references from the IDS, which discussion particularly points out how the claimed subject matter is distinguishable over the references.

The claimed subject matter is patentably distinguishable over the references for at least the following reasons:

None of the references discussed below disclose or suggest a scheme for preparing production data for a print job wherein information about manipulations of a still image format proxy of a page description language (PDL) image file are used to revise the PDL image file so as to match the PDL image file to the manipulations made to the still image format proxy, as recited in step (c) of claims 1, 20 and 39.

None of the references discussed below disclose or suggest a scheme for preparing production data for a print job wherein production specifications are appended to a still image format proxy of a PDL image file and information about the production specifications are used to prepare production data for the print job, as recited in steps (b) and (c) of claims 13, 32 and 51.

None of the references discussed below disclose or suggest a scheme for viewing production data for a print job wherein a static template is created that defines a predetermined

area of an electronic document stored in a PDL image file, the physical dimensions of the template are dynamically determined based on the area in which the electronic document must fit in the layout of a physical printed document, the physical dimensions of a still image format proxy of the PDL image file are dynamically determined based on the relative size of the predefined physical dimensions of the PDL image file to the predetermined area in which the electronic document must fit, and the still image format proxy is displayed in association with the template, as recited in steps (b) and (c) of claims 16, 35 and 54.

The independent claims highlighted above are repeated below for the Examiner's convenience. The features highlighted above which are not disclosed or suggested in any of the references is underlined.

1. An automated computer-implemented method of preparing production data for a print job, the production data including an electronic document defined by a page description language (PDL), the electronic document being stored in a PDL image file, the method comprising:

(a) creating a still image format proxy of the PDL image file;

(b) electronically manipulating the still image format proxy and recording information about the manipulations;

(c) using the information about the manipulations to revise the PDL image file so as to match the PDL image file to the manipulations made to the still image format proxy.

13. An automated computer-implemented method of preparing production data for a print job, the production data including an electronic document defined by a page description language (PDL), the electronic document being stored in a PDL image file, the method comprising:

(a) creating a still image format proxy of the PDL image file;

(b) electronically appending production specifications to the still image format proxy and recording information about the production specifications;

(c) using the information about the production specifications to prepare production data for the print job.

16. An automated computer-implemented method of viewing production data for a print job, the production data including (i) an electronic document defined by a page description language (PDL), the electronic document being stored in a PDL image file and having predefined physical dimensionals, and (ii) a predetermined area in which the electronic document must fit in a layout of a physical printed document, the method comprising:

(a) creating a still image format proxy of the PDL image file;

(b) creating a static template that defines the predetermined area, wherein the physical dimensions of the template are dynamically determined based on the area in

which the electronic document must fit in the layout of the physical printed document, and the physical dimensions of the still image format proxy are dynamically determined based on the relative size of the predefined physical dimensions of the PDL image file to the predetermined area in which the electronic document must fit; and

(c) displaying the still image format proxy in association with the template.

20. An automated computer-implemented apparatus for preparing production data for a print job, the production data including an electronic document defined by a page description language (PDL), the electronic document being stored in a PDL image file, the apparatus comprising:

(a) means for creating a still image format proxy of the PDL image file;

(b) means for electronically manipulating the still image format proxy and recording information about the manipulations; and

(c) means for using the information about the manipulations to revise the PDL image file so as to match the PDL image file to the manipulations made to the still image format proxy.

32. An automated computer-implemented apparatus for preparing production data for a print job, the production data including an electronic document defined by a page description language (PDL), the electronic document being stored in a PDL image file, the apparatus comprising:

(a) means for creating a still image format proxy of the PDL image file;

(b) means for electronically appending production specifications to the still image format proxy and recording information about the production specifications; and

(c) means for using the information about the production specifications to prepare production data for the print job.

35. An automated computer-implemented apparatus for viewing production data for a print job, the production data including (i) an electronic document defined by a page description language (PDL), the electronic document being stored in a PDL image file and having predefined physical dimensionals, and (ii) a predetermined area in which the electronic document must fit in a layout of a physical printed document, the apparatus comprising:

(a) means for creating a still image format proxy of the PDL image file;

(b) means for creating a static template that defines the predetermined area, wherein the physical dimensions of the template are dynamically determined based on the area in which the electronic document must fit in the layout of the physical printed document, and the physical dimensions of the still image format proxy are dynamically determined based on the relative size of the predefined physical dimensions of the PDL image file to the predetermined area in which the electronic document must fit; and

(c) means for displaying the still image format proxy in association with the template.

39. An article of manufacture for preparing production data for a print job, the production data including an electronic document defined by a page description language (PDL), the electronic document being stored in a PDL image file, the article of

manufacture comprising a computer-readable medium holding computer-executable instructions for performing a method comprising:

(a) creating a still image format proxy of the PDL image file;

(b) electronically manipulating the still image format proxy and recording information about the manipulations; and

(c) using the information about the manipulations to revise the PDL image file so as to match the PDL image file to the manipulations made to the still image format proxy.

51. An article of manufacture for preparing production data for a print job, the production data including an electronic document defined by a page description language (PDL), the electronic document being stored in a PDL image file, the article of manufacture comprising a computer-readable medium holding computer-executable instructions for performing a method comprising:

(a) creating a still image format proxy of the PDL image file;

(b) electronically appending production specifications to the still image format proxy and recording information about the production specifications; and

(c) using the information about the production specifications to prepare production data for the print job.

54. An article of manufacture for viewing production data for a print job, the production data including (i) an electronic document defined by a page description language (PDL), the electronic document being stored in a PDL image file and having predefined physical dimensionals, and (ii) a predetermined area in which the electronic document must fit in a layout of a physical printed document, the article of manufacture comprising a computer-readable medium holding computer-executable instructions for performing a method comprising:

(a) creating a still image format proxy of the PDL image file;

(b) creating a static template that defines the predetermined area, wherein the physical dimensions of the template are dynamically determined based on the area in which the electronic document must fit in the layout of the physical printed document, and the physical dimensions of the still image format proxy are dynamically determined based on the relative size of the predefined physical dimensions of the PDL image file to the predetermined area in which the electronic document must fit; and

(c) displaying the still image format proxy in association with the template.

Dependent claims 2-12, 14,15, 17-19, 21-31, 33-34, 36-38, 40-50, 52-53 and 55-57 incorporate the steps of their respective independent claims, and thus are deemed patentable over the prior art of record.

A discussion of the references follows below:

International PCT Publication Number WO 00/70436 (Chase et al.) discloses a web-based, template-driven process for allowing a user to build an electronic document. Referring to Fig. 5, the process includes the following steps:

1. A template is used in conjunction with user inputs to the template to build the foreground of the document (steps 102, 104, 106, 108).
2. A postscript file is produced of the foreground (step 108).
3. A GIF file is produced from the postscript file and is displayed to the user, along with different image backgrounds which represent paper stock or the like (steps 110, 112). That is, the user views a composite image of the foreground and background.
4. The user may then make the following changes to the composite image:

a. If the user wishes to enter or modify the text and/or layout of the foreground image, the user enters the changes using the template process described above, and a revised GIF file is produced (steps 100-114 as shown in feedback loop, see also, page 8, lines 14-17) and displayed to the user for review. The GIF file itself is not electronically manipulated, nor is anything appended to the GIF file by this process. Instead, changes made via the template process cause a new GIF file to be created which reflect the changes made by the user via the template.

b. The user may change the background to get an idea of how the foreground image would appear with different backgrounds (e.g., different paper stocks). Again, the GIF file itself is not electronically manipulated by this process, nor is anything appended to the GIF file by this process.

5. Once the user is satisfied with the composite image, the user places the order (step 116).
6. The postscript file is used for the print job (step 124).

None of the steps in the process described in this patent perform any of the functions underlined above.

U.S. Patent Nos. 5,884,014 and 6,011,905 (both to Huttenlocher et al.); and 6,275,301 (Bobrow et al.) disclose systems for converting a structured document representation, such as a PostScript or other PDL representation, into a tokenized file format, referred to as "DigiPaper." The DigiPaper representation (DigiPaper file format) is used directly for any subsequent rendering and/or printing of the original structured document representation. One advantage of the DigiPaper file format is faster rendering time, thereby reducing delays for users downloading

documents from remote web servers. The systems do not cause any changes made to the DigiPaper file format of a document representation to be used to revise the original structured document representation. In fact, the DigiPaper file format is designed to be lossless (i.e., to represent exactly the same information as the original structured document representation). The systems in these patents do not perform any of the functions underlined above.

U.S. Patent Nos. 5,995,102; 6,065,057 and 6,118,449 (all to Rosen et al.) disclose that a system that modifies a cursor image on a display screen. For example, for referring to the '102 patent, a default arrow cursor 44 shown in Fig. 7 may be changed to a soda bottle shaped cursor shown in Fig. 8. The system does not prepare production data for a print job, nor do any of the steps that modify the cursor image perform any of the functions underlined above.

U.S. Patent No. 6,018,774 (Mayle et al.) discloses a system for creating an electronic postcard by manipulating electronic images. The system does not prepare production data for a print job, nor do any of the manipulations perform any of the functions underlined above.

U.S. Patent No. 6,026,433 (D'Arlach et al.) discloses a system for creating and editing a web site in a client-server environment using customizable templates. The system does not prepare production data for a print job, nor do any of the web site creation/editing steps perform any of the functions underlined above.

U.S. Patent No. 6,061,659 and 6,243,104 (both to Murray) disclose systems for integrating information, such as a message or icon, into content selected by the user. The systems do not prepare production data for a print job, nor do the integration processes perform any of the functions underlined above.

U.S. Patent No. 6,223,190 (Aihara et al.) discloses a system for generating an HTML file that includes images captured by a digital camera. The system does not prepare production data for a print job, nor do any of the web site creation/editing steps perform any of the functions underlined above.

U.S. Patent No. 6,266,684 (Kraus et al.) discloses a web page authoring program that allows a user to create a multiple frame web page by manipulating a graphical display that represents the web page. The program does not prepare production data for a print job, nor do any of the web page creation steps perform any of the functions underlined above.

U.S. Patent No. 6,275,829 (Angiulo et al.) discloses a system for allowing a full size image to be automatically represented by a thumbnail image on a web page. The system does not prepare production data for a print job, nor do any of the steps for creating the thumbnail image perform any of the functions underlined above.

U.S. Patent No. 6,278,448 (Brown et al.) discloses a system for creating a composite desktop built from web content retrieved from one or more web sites. The system does not prepare production data for a print job, nor do any of the steps for creating the composite desktop perform any of the functions underlined above.

U.S. Patent No. 6,295,061 (Park et al.) discloses a system that allow information, such as advertising messages, to be displayed on screen in response to movement or activity of a user's pointing device. The system does not prepare production data for a print job, nor do any of the steps that create the information to be displayed perform any of the functions underlined above.

U.S. Patent No. 6,310,601 (Moore et al.) discloses a system for resizing an image designed for display in a web page. The system does not prepare production data for a print job, nor do any of the steps associated with the resizing perform any of the functions underlined above.

U.S. Patent No. 6,215,502 (Ferguson) discloses a system for generating graphical objects. The system does not prepare production data for a print job, nor do any of the steps associated with generating the graphical objects perform any of the functions underlined above.

U.S. Patent No. 6,123,362 (Squilla et al.) discloses a system for creating photo albums wherein the individual pages of the photo album are created as a series of photocollages from

stickers. Each of the stickers has a low resolution version of an image with a unique identifier correlating the sticker to a high resolution version of the image that can be accessed from a database file. The stickers fit on layout sheets provided for the photoalbum to be created. The layout sheets are provided to enable the user to make a selection of potential layouts for each page of the photoalbum. None of the steps associated with creating the photo albums perform any of the functions underlined above.

Published European Patent Application No. 961,452 (Shiimori) discloses a system for ordering print jobs from a remote printing site. The system informs the user as to the types of print jobs that can be ordered (e.g., a print upload, a postcard, a calendar, as shown in Fig. 5), as well as the selectable printing site locations (see Fig. 4). Print jobs such as postcards or printing of digital camera images are facilitated using a template-driven process (see, for example, Fig. 30 and Fig. 32). None of the steps associated with print job ordering or manipulations of images for subsequent printing perform any of the functions underlined above.

The following nine references are provided for background explanation only of PDL's (e.g., Adobe PDF, Adobe PostScript), still image formats (e.g., JPEG, GIF), and general printing terms. None have any disclosure of any of the functions underlined above.

1. "PDF for Prepress Workflow and Document Delivery," Adobe Systems Inc., San Jose, California.

2. "Preparing Adobe® PDF files for high-resolution printing," Adobe Systems Inc.

3. Adobe Postscript 3 Printing Glossary, Adobe Systems Inc.

4. Evans, D. "Why Do We Offer Two Printing Technologies? How Do They Differ" (Adobe PostScript vs. Adobe PDF).

5. FAQ: What is a page-description language?, Citation Software Inc., printout from web site: http://www.citationsoftware.com/faqPDL.htm.

6. Santa-Cruz, D. et al. "An analytical study of JPEG 2000 functionalities" (JPEG 2000 still image coding versus other standards), Proceedings of SPIE, vol. 4115 of the 45th annual SPIE meeting, Applications of Digital Image Processing XXIII, July 2000.

7. McLean, N. et al. "Electronic Publishing: Technical Standards," printout from web site: http://www.adfa.edu.au/Epub/key/Technical.html (see esp. pages 17-23).

8. "What is the difference between JPEG, GIF and PNG?, printout from web site: http://www.ee.surrey.ac.uk/FAQ/standards.html.

9. FAQ: How do I create a ps or pdf file of my paper?, Automatica On-Line Paper Review Management System PAMPUS, printout from web site: http://www.autsubmit.com/documents/pspdffaq.html.

Printing Services order form, ReproGraphic Services, graphically illustrates a plurality of bindery options and bindery specifications that may be ordered for a print job. The order form does not disclose any process for implementing any of the functions underlined above.

LaserGo GoScript software allows PostScript files to be converted to bitmap formats. The description of this software does not disclose any process for using the bitmap formats to implement any of the functions underlined above.

The following four references are provided for background explanation only of FLASH and for explanations of how a still image format may be inserted into a Flash movie. None have any disclosure of any of the functions underlined above

1. An Overview of Flash: Part 2, How is Flash Displayed to the User?, printout from web site: http://www.dartfrogmedia.com/overview/ovrvw02.htm.

2. An Overview of Flash: Part 3, The Main Uses of Flash, printout from web site: http://www.dartfrogmedia.com/overview/ovrvw03.htm.

3. TRIO ThinkQuest: Macromedia Flash 5 Tutorial: Part 2, printout from web site: http://depts.washington.edu/trio/comp/howto/pieces/flash/tutorial/flash2.shtml.

4.Creating Generator Objects - Inserting GIF, JPEG and PNG files, printout from web site: http://flashhelp.advances.net/flashhelp/usinggenerator/html/02objects5.html.

6. Fee

The fee required by 37 CFR 1.17(i) is to be paid by the enclosed check for **$130.00**. Please charge any fee deficiency to Deposit Account No. 50-1017.

Respectfully submitted,

JEREMY C. HERR

October 17, 2002
(Date)

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